

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITIN NO.8104 OF 2006

Dr.Narayan B. Auti	Petitioner
V/s.	
City & Industrial Development	
Corporation and others	Respondents

Mr.R.A. Thorat for the Petitioner.

CORAM : S.J. VAZIFDAR, J.
DATED : 10TH JANUARY, 2007.

P.C. :

1. The impugned order warrants no interference. The Petitioner has been allotted plot No.2 on which the Petitioner intends constructing and running a hospital. The adjoining plot was even earlier demarcated as an institutional plot. As per clause 14.3(4) of the G.D.C.R. issued by the Respondents institution land is to be used for the purposes such as medical or other treatment or care of persons suffering from physical or mental illness, disease or infirmity etc. There is nothing in the clause which suggests that the use can only be by public institutions.

2. The Petitioner's grievance is that the

adjoining plot has also been given by the Respondents for running a nursing home. It is obvious that the Petitioner's real grievance is that he will have to face competition from a nursing home. Prima-facie there is nothing to indicate that the proposed user on the adjoining plot of the nursing home is illegal.

3. In the circumstances, the Writ Petition is dismissed.